

**STATUS REPORT TO THE TWENTY-THIRD LEGISLATURE**

**2005 REGULAR SESSION**

**from the**

**Task Force on Beach and Water Safety**



**Prepared by the**

**Department of Land and Natural Resources  
in Conjunction with the  
Task Force on Beach and Water Safety**

**in response to**

**Act 190, Session Laws of Hawai'i 1996  
as amended by  
Act 101, Session Laws of Hawai'i 1999  
as amended by  
Act 170, Session Laws of Hawai'i 2002**

**December 2004**

This status report has been prepared for submission to the Twenty-Third Legislature, 2005 Regular Session, pursuant to a provision in Act 190, Session Laws of Hawai'i (SLH) 1996, as amended by Act 101, SLH 1999, as amended by Act 170, SLH 2002 mandating annual reporting by the Task Force on Beach and Water Safety on its recommendations through 2007.

Act 190, SLH 1996, established a process for the State and Counties to provide both meaningful and legally adequate warnings to the general public of extremely dangerous natural conditions in ocean areas adjacent to their respective public beach parks. The Act recognized a duty to warn specifically of dangerous shorebreak or strong current in the ocean fronting a beach park, if either condition exists, is extremely dangerous, is typical for that beach park, and poses a risk of serious injury or death.

Act 190, SLH 1996, clarified that the State and Counties have no duty to warn of dangerous natural conditions at beaches, beach/coastal accesses or areas that are not public beach parks.

Act 190, SLH 1996, provided for a process, including record keeping, to replace vandalized, removed or illegible warning signs.

Act 190, SLH 1996, called for the formation of a Task Force on Beach and Water Safety to advise the Chairperson of the Board of Land and Natural Resources prior to the Chairperson making a decision on the design and placement of warning signs erected pursuant to this Act.

The Task Force on Beach and Water Safety was convened after water safety officer participants were solicited via their respective County Mayors and formally appointed by Governor Benjamin Cayetano pursuant to Act 190, SLH 1996. Other Task Force members were seated by their government position as provided in the Act. A new Task Force member was appointed and the sitting Task Force members had their appointment continued in August 2002.

Act 101, SLH 1999, amended Act 190, SLH 1996, by extending its mandate through June 30, 2003. Act 170, SLH 2002 subsequently amended Act 101, SLH 1999, by extending its mandate through June 30, 2007.

The Task Force members are:

Peter T. Young, (Task Force Chairperson), Chairperson, Board of Land and Natural Resources

Ted Liu, Director, Department of Business, Economic Development and Tourism

Chris Measures, Chair, Department of Oceanography, University of Hawai'i

Marian Feenstra, Chief, Aquatics Division, Department of Parks and Recreation, County of Maui

David Kalani Vierra, Ocean Safety Bureau, Kaua'i Fire Department, County of Kaua'i

Ralph Goto, Director, Ocean Safety & Lifeguard Services Division, Department of Emergency Services, City and County of Honolulu

Larry Davis, Program Administrator, Aquatics Division, Department of Parks and Recreation, County of Hawai'i

Designees are:

Daniel S. Quinn (for Peter T. Young), Administrator, Division of State Parks, Department of Land and Natural Resources

Richard Grigg (for Chris Measures) Marine Biologist, Department of Oceanography, University of Hawai'i

Since late 1996, as reported previously, the Task Force has accomplished the following:

- Designed signs to warn of "strong current" and "dangerous shorebreak"
- Prepared guidelines for permanent sign placement
- Placed "strong current" and "dangerous shorebreak" signs, where warranted, at State and County beach parks
- Designed signs to warn of other extremely dangerous natural conditions in the ocean adjacent to a public beach park:

high surf  
sudden drop-off  
man-o-war  
sharp coral  
rip currents

waves break on ledge  
slippery rocks  
jellyfish  
shark sighted

- Prepared guidelines for temporary sign placement

The Task Force met on November 29, 2004. The meeting agenda and draft Minutes of the meeting are attached as Appendix 1. The minutes of the meeting will be reviewed for adoption at the next Task Force meeting. The minutes of the August 22, 2003 meeting were adopted and are attached as Appendix 2

#### **SUMMARY OF TASK FORCE ACTIVITIES:**

The purpose of the Task Force is primarily to advise the Chairperson of the Board of Land and Natural Resources prior to the Chairperson making a decision on the design and placement of warning signs erected pursuant to Act 190, SLH 1996. The Task Force is also mandated to prepare an annual report on its recommendations. For this reporting period, the only new signs requiring Task Force recommendation to the Chairperson are two new sign locations requested by the Division of State Parks for Kua Bay in Kekaha Kai State Park on the Island of Hawaii.

A new access road to Kua Bay with parking area has been constructed and will open soon. A new restroom is under construction and will be open in several months. In the past, the beach at Kua Bay has been accessed via a very poor dirt road which traverses private land. The private landowner, in a land exchange with the State, is developing the new beach access road and public restroom facility. When the new road is opened, the old dirt access road will be closed.

Accordingly, the State requested approval of two new sign locations. One will be located on the right side of the park access road before the first parking area. The second sign location is at the pedestrian drop off zone; north end of parking area. This request is for the concurrent cancellation and removal of the original signs located at the old dirt access road.

The State request was approved by the Task Force, and subsequently sent to the Chairperson for his consideration.

The other focus of effort for the Task Force is the development of Comprehensive Plans. Act 190, SLH 1996, provides for development of Comprehensive Plans to further enhance ocean safety at beach parks.

The Task Force continues to review and discuss the Comprehensive Plan for Sandy Beach on O'ahu. The Plan was prepared by the Ocean Safety and Lifeguard Services Division, Honolulu, Department of Emergency Services, City and County of Honolulu. The intent is to use this Plan, which continues to be refined, as a template for other comprehensive plans.

The City and County of Honolulu has begun the development of a Beach Hazard Rating System. This component is essential to begin formulating a relative rating of hazards at the various beaches.

The City and County of Honolulu and Maui County have retained a consultant who has completed the physical inventory of beaches on Oahu and Maui County. This will be used as framework for risk assessment in the development of the Comprehensive Plans.

**APPENDIX 1**

**AGENDA**

**MEETING OF THE TASK FORCE ON BEACH AND WATER  
SAFETY**

**NOVEMBER 29, 2004 AT 9:00 A.M.  
KALANIMOKU BUILDING  
1151 PUNCHBOWL STREET, ROOM 131**

9:00 A.M.

Call to Order

Sign posting location/relocation requests

Discussion of development of Comprehensive Plans

Other issues

MINUTES  
TASK FORCE ON BEACH AND WATER SAFETY  
NOVEMBER 29, 2004

The meeting was called to order at 9:05 A.M.

Dr. Richard Grigg needed to leave early and requested deviation from the agenda to discuss "Other Issues" first.

Mr. Grigg submitted a memorandum suggesting two subject areas as future priorities; First, "Hot Spots", or areas where there is a continuing occurrence of serious injury and where there are no warning signs posted. The second item is sign evaluation. Since the new sign designed by the Task force have been in place for 6 years, we should be able to compare their effectiveness compared to the previous signage, or compared to areas which had no signage. The Task Force discussed the issues, and decided to include them in a future agenda.

Mr. Grigg left the meeting at 9:30.

There was discussion of the visibility of the current signs where viewed against certain light colored background. Consensus was that there should be no deviation from the current standard without very strong justification.

Discussion returned to the Agenda to review sign posting location/relocation requests.

Larry Davis of Hawaii County is proposing to relocate Sign #1 at Kahaluu Beach park. The sign is currently located on the left side road (on entering the park). He is proposing locating the sign in a more visible location near the park restroom. Mr. Davis will submit a revised map and documentation.

Mr. Davis has received a request from one of his Captains to install warning signs at Honl's Beach. This is a not a beach park and may be private property frontage. Mr. Davis will look into the matter and determine ownership of adjacent land.

Kalani Vierra of Kauai County discussed an area known as Kealia Kai and access to "Donkey Beach". This is not a County beach park. However, the County built and maintains a parking lot, and has an easement over private land to the beach. The question is whether this area would be considered as an Act 190 park.

The Task Force recommended that Mr. Vierra seek advice from the County Corporation Counsel on this issue.

Kauai submitted documentation of the earlier replacement of Kealia Sign #5. All Kealia signs were replaced last week, but several were not put in the original location. Water Safety staff will return the signs to their original location this week.

Kauai has received funding and is in the process of ordering a reserve stock of warning signs.

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Dan Quinn with State Parks requested Task Force approval of two new sign locations for Kua Bay in Kekaha Kai State Park on the island of Hawaii. A new access road with parking area has been constructed and will open soon. A new restroom is under construction and will be open in several months. In the past, the beach at Kua Bay has been accessed via a very poor dirt road which traverses private land. The private land owner, in a land exchange deal with the State, is developing the new beach access road and public restroom facility. When the new road is opened, the old dirt access road will be closed.

Accordingly, the State is requesting approval of two new sign locations. One on the right side of the park access road before the first parking area. Sign location 2 is at the pedestrian drop off zone; north end of parking area. This request is for the concurrent cancellation and removal of the original signs located at the old dirt access road.

Approved by the Task Force.

The City and County of Honolulu presented the Comprehensive Plan for Sandy Beach 2004, and presented information on the development of a Beach Hazard Rating System.



**TASK FORCE ON BEACH AND WATER SAFETY  
MINUTES  
August 22, 2003**

- Call to order
- Review of minutes from meeting of June 20, 2003
- Distribution of approved sign posting requests for Marine Camp, Kealia and Lydgate Beach Park, Kauai
- Discussion of Queens Bath - Per Kalani Vierra
  - High Surf/currents signs posted
  - The area is a Right of Way to beach - (maybe county)
  - Per Kalani Vierra - High Surf is not the problem;
  - Problems are Waves on Ledge/Sudden Drop Off
  - Need to find out who posted the signs and discuss replacing them
- Sign posting location/relocation requests
  - Kauai working on replacement along west side, but not relocating
- Draft Comprehensive Plan
  - Discussion of including a Water Safety Public Service Announcement on airlines
  - Discussion of including a PSA on airline maps;
  - perhaps the warning icons at hazardous beaches on maps

**Maui County**

Discussion on contract with Dr. Short for an overall look at Maui Parks  
(He is already retained by C&C of Honolulu)  
- The Task Force discussed and reviewed the C&C of Honolulu Draft Comprehensive Plan

**Kauai Fire Chief**

When permits go out for events (from DOBOR)

- Kauai permits lack requirements for water safety personnel (qualifications)
- Currently event organizers contract with KFD and the County is concerned with liability (no private water safety service available on Kauai)

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Break for lunch

**Site inspections of signage posted at Marine Camp, Lydgate Beach Park and Kealia Beach Park**

**On-site discussion of components for a comprehensive plan for Kealia Beach Park**

**WATER SAFETY TASK FORCE ATTENDANCE**  
**August 22, 2003**

**Daniel Quinn**  
**Amy Esaki**  
**Teddy Williams**  
**Kalani Vierra**  
**Marian Feenstra**  
**Monty Downs**  
**Sue Kano**  
**John L. Buck III**  
**Larry Davis**  
**Charlie Hiramoto**







**State Parks**  
**County Attorney's Office**  
**Admin BC Fire**  
**Ocean Safety**  
**P&R Aquatics Chief Maui**  
**Kauai Water Safety Task Force**  
**Kauai's Visitor Bureau**  
**Deputy Director P&R Maui County**  
**P&R Aquatics/Hawaii County**  
**Kauai Fire Chief**

**COMPREHENSIVE PLAN**  
**SANDY BEACH**  
**2004**

**Ralph S. Goto**  
**Ocean Safety and Lifeguard Services**  
**Administrator**




# Injury Prevention Strategies

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-  **Identify Nature and Scope of Problem**
-  **Collect and Analyze Data**
-  **Design Education and Intervention Strategies  
(See Recommendations)**
-  **Implement Strategies**
-  **Measure and Evaluate**
- 

# Recommendations

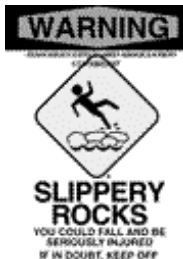
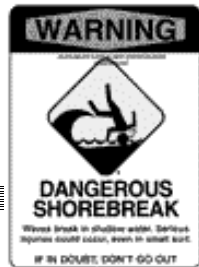
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-  Signage describing natural conditions should be posted ( See Signage Slides)
-  Education Strategies
  - educate the individual(s) prior to their arrival
-  Prevention and Intervention Strategies
  - prevention and intervention strategies are in place and implemented at the beach



# Recommendation #1 - SIGNAGE

## Accordance with Act 190



Other natural conditions



Activities that may be hazardous to beachgoers



Dangerous Marine Life

# ACCORDANCE TO ACT 190

## Section 2     HRS Chapter 663



15 duty to warn the public specifically of dangerous shorebreak  
or

16 strong current in the ocean adjacent to a public beach park if  
17 these conditions are extremely dangerous, typical for the  
18 specific beach, and if they pose a risk of serious injury or



**Signs other than “Dangerous Shorebreak” and “Strong Current” will be posted “..to warn of other extremely dangerous natural conditions in the ocean adjacent to a public beach park.” as conditions warrant.**

**FOR EXAMPLE:**



**A Shark Sighted Sign may be posted when a shark is visually confirmed by ocean safety personnel, or other reliable source.**



**A JELLYFISH sign will be posted after patrol of shoreline by ocean safety personnel produce washed up jellyfish, or when beachgoers report stings. Signs are posted anywhere from three to fives days during the monthly jellyfish influxes revolving around the lunar cycle.**

**The impact excessive signage may have on the aesthetic nature of the environment, should also be considered .**



# **\*PROLIFERATION**

**1 : to grow by rapid production of new parts, cells, buds, or offspring**

**2 : to increase in number as if by proliferating: to multiply**

**\* Merriam-Webster New Collegiate Dictionary**



**STRONG  
CURRENT**



YOU COULD BE SWEEPED AWAY  
FROM SHORE AND COULD DROWN  
IF IN DOUBT, DON'T GO OUT

# **Recommendation #2**

## **Education Strategies**

### **continued...**

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-  **Educational Events @ Sandy Beach – Think First and Ocean Safety Spinal Injury Awareness Day @ Sandy Beach June 22<sup>nd</sup>, 2001, 2002, 2003**
-  **Assembly presentations at schools island wide to educate students about natural conditions that can be dangerous, the beach signs that warn of such natural conditions, and how they can help prevent themselves and their loved ones from falling victim to injury in the aquatic environment.**

## **Recommendation #2**

### **Education Strategies**

#### **continued...**

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- 📖 Ocean Safety Website: Done in three different languages. Educate on what natural ocean conditions beach signs represent, and the dangers those conditions pose. Accessible through a www search engine for a Oahu beach maps or while booking flights on airlines and/or hotel websites while booking or looking at rates**

## **Recommendation #2**

### **Education Strategies**

#### **continued...**

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-  **Public Service Announcements on Television and Radio – Specific to traumatic head and neck injury (filmed at Sandy Beach) 2004**
-  **Video Presentations for visitors ( on incoming flights and cable channels in hotels)**
-  **Information and Education given to visitors by those in the industry tour drivers, hotel employees etc.**
-  **Print materials (Brochures, In-flight magazines, etc.)**

## **Recommendation #2**

### **Education Strategies**

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### **continued...**



-  **Develop Ocean Safety Curriculum for Health classes in Department of Education that meets National Curriculum Standards – specific to educating students about natural conditions and the beach signage that they represent.**

# **Recommendation #3**

## **Prevention and Intervention Strategies**

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### **Signage**










-  **Direct (person to person) contact by lifeguards**
-  **Public address announcements made by lifeguards via megaphone from lifeguard towers**



# **Comprehensive Plan for Sandy Beach**

## **October 28, 1999**

### **“Recommendations”**

-  **Signage describing natural conditions above should be designed and posted**
-  **Education and Prevention Strategies**
  -  **a. Direct contact by lifeguards**
  -  **b. Public address announcements by lifeguard**
  -  **c. Information about daily conditions posted at lifeguard towers**
  -  **d. Video Presentations for visitors (incoming flights and hotel cable channels)**
  -  **e. Print materials (brochures, in-flight magazines, etc.)**
  -  **f. Information given out by those in the industry, i.e., tour guides, drivers, hotel employees etc.**
-  **Beach Rating System similar to ski areas**

**The new Comprehensive Plan for Sandy Beach has removed one recommendation item and added three.**